

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                             |   |                             |
|-----------------------------|---|-----------------------------|
| In re Application of:       | ) |                             |
|                             | ) |                             |
| Peter FRANK                 | ) | Confirmation No.: 6468      |
|                             | ) |                             |
| Application No.: 10/551,996 | ) | Group Art Unit: 3726        |
|                             | ) |                             |
| Filed: October 11, 2006     | ) | Examiner: HOWELL, Daniel W. |
|                             | ) |                             |
| For: DRILLING TOOL          | ) |                             |

**Customer Window, Mail Stop AF**  
Commissioner for Patents  
U.S. Patent and Trademark Office  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT TRANSMITTAL FORM**

- Transmitted herewith is an Amendment in response to the Final Office Action dated March 31, 2011.
- Additional papers enclosed:
  - ☐ Drawings: \_\_\_\_\_ sheet(s) with \_\_\_\_\_ figure(s)
  - ☐ Information Disclosure Statement
  - ☐ PTO Form 1449 (\_\_\_ References Attached)
  - ☐ Citations
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months<br/>Requested</u>     | <u>Fee for<br/>Extension</u> | <u>[Fee for Small<br/>Entity]</u> |
|---------------------------------------|------------------------------|-----------------------------------|
| <input type="checkbox"/> one month    | \$ 130.00                    | \$ 65.00                          |
| <input type="checkbox"/> two months   | \$ 490.00                    | \$ 245.00                         |
| <input type="checkbox"/> three months | \$ 1,110.00                  | \$ 555.00                         |
| <input type="checkbox"/> four months  | \$ 1,730.00                  | \$ 865.00                         |
| <input type="checkbox"/> five months  | \$ 2,350.00                  | \$1,175.00                        |

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

4. Constructive Petition

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED                                     |   |       |                                |                  |                |            |
|---|---|-------|--------------------------------|------------------|----------------|------------|
|   | Claims<br>Remaining<br>After<br>Amendment |       | Highest No.<br>Previously Paid | Present<br>Extra | at Rate of     | Total Fees |
| Total Claims<br>(37 C.F.R. §1.16(c))                  | 26  | minus | 28                             | 0                | x \$52 each =  | + \$0.00   |
| Independent Claims<br>(37 C.F.R. §1.16(b))            | 2   | minus | 3                              | 0                | x \$220 each = | + \$0.00   |
| [X] First presentation of Multiple dependent claim(s) |   |       |                                |                  | \$390.00       | + \$0.00   |
| SUB-TOTAL =   |   |       |                                |                  |                | \$0.00     |
| Reduction by ½ for filing by a small entity           |   |       |                                |                  |                | - \$0.00   |
| TOTAL FEE =   |   |       |                                |                  |                | \$0.00     |

6. Fee Payment

- ☒ No fee is to be paid at this time.
- ☐ Total Fee **\$0.00** to include (\$0.00 for the two-month extension of time fee and \$0.00 for the additional claims fee) is to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.**
- ☐ The Commissioner is hereby authorized to charge \_\_\_\_\_ to Deposit Account No. 50-0573 for the \_\_\_\_\_ fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**By: 

Jeffrey G. Killian, Ph.D., Esq.

Registration No. 50,891

Dated: May 31, 2011

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